IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.29211 of 2008
MD.TABBO
Versus

STATE OF BIHAR
- - - -

2. 30.7.2008 Heard.

The Court is not inclined to review the earlier order passed in Cr. Misc. No. 53867 of 2007 because the ground which has been taken before it could be the fact to be gone into during the course of the trial.

However, learned counsel appearing for the petitioner insisted upon to issue a direction to the court below for verifying the fact as to whether the lady complainant of Complaint Case No. 193 of 2005 has really married another man after having filed the case. The Court feels inclined to direct the court below, i.e., the Sub-divisional Judicial Magistrate, Purnea, to issue a notice to the lady to appear before him. If the court below is satisfied that she has really married another man after filing of the present case, then the court below itself shall release the petitioner on his executing a bond of its own satisfaction without ever being influenced by

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the fact that this Court has refused to admit the petitioner to bail.

With the aforesaid direction/observation, the petition stands disposed of.

Let this order be transmitted to the above noted court through fax at the cost of the petitioner.

Kanth

( Dharnidhar Jha, J.)

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